

Tennessee Board of Nursing  
665 Mainstream Drive  
Iris and Poplar Rooms  
Nashville, Tennessee

MINUTES

February 22-23, 2017

Call to Order

Brent Earwood-Chair called the meeting to order at 8:34 a.m. in the Iris Room.

Roll Call and Quorum

Ms. Sandra Powell called roll.

Present: Brent Earwood, APRN; Juanita Turnipseed, APRN; Lisa Heaton, RN; Arthur Thompson, LPN; Lee Ann Stearnes, APRN; Leslie Akins, APRN; Lee Mills, public member; Martha Buckner, RN, Mark Young, APRN (arrived 8:45 a.m.)

Absent: Janell Cecil, RN, Marietha Silvers, RN

A quorum was present.

Welcome and Introduction of Guests

Mr. Earwood welcomed the Board members and guests in the audience and called for self-introductions. Guests: students from Tennessee College of Applied Technology- Dickson- Ashland City campus and Belmont University; in addition those not choosing to make the board aware of their affiliation.

Introduction of Staff

Elizabeth Lund, Executive Director and Mark Waters, Deputy General Counsel introduced staff.

Board staff:

Sandra Powell, Administrative Director

Teresa Phillips, Nurse Consultant

Liz Sherfy, Nurse Consultant

Sherry Richardson, Nurse Consultant

Diana Merickle, Board Assistant

Legal staff:

Mark Cole, Assistant General Counsel

Todd Pinckley, Assistant General Counsel

Jamie Formont, Assistant General Counsel

Stefan Cange – Assistant General Counsel

Wesley Holder – Legal Assistant, acting as student attorney

Eric Winters – Legal Assistant, acting as student attorney

Ashley Fine – Legal Assistant, acting as student attorney

Mr. Waters announced that Ms. Fine, Mr. Holder and Mr. Winters have been licensed by the Supreme Court to practice as student attorneys. Mr. Holder and Mr. Winters will be presenting Ms. Hannah Lanford’s cases since she has now moved to private practice and is no longer with the department of health.

Approval of minutes

Approve November 28-29, 2016 board meeting minutes, December 14, 2016 summary suspension minutes, January 4, 2017 summary suspension minutes, and February 1 summary suspension minutes.

Dr. Buckner moved to approve the minutes, Ms. Akins seconded; motion carried.

Assign Panels and Panel Chairs

Mr. Earwood assigned panels and panel chairs:

- Panel 1 – Earwood (Chair), Akins, Thompson
- Panel 2 – Turnipseed (Chair), Heaton, Stearnes
- Panel 3 –Buckner (Chair), Young, Mills

<u>Panel 1 – Iris Room</u>	<u>Panel 2 – Poplar Room</u>	<u>Panel 3 – Dogwood Room</u>
Brent Earwood, chair	Juanita Turnipseed, chair	Martha Buckner, chair
Leslie Akins	Lisa Heaton	Mark Young
Arthur Thompson	Lee Ann Stearnes	Donald Mills

Call the Docket

Mr. Mark Waters called the docket.

Disciplinary Business (Panel 1, Iris Room; Panel 2, Poplar Room; Panel 3, Dogwood Room)

- Panel 2 adjourned to the Poplar Room.
- Panel 3 adjourned to the Dogwood Room.

Panel 1 – Brent Earwood, chair; Leslie Akins, Arthur Thompson

A quorum was present. Administrative Law Judge Williams presided.

<b><u>Michelle Vincent</u></b> 1850 Richland Road Pulaski, TN 38478	LPN 820098	Cole, State’s Attorney	Ms. Vincent was not present and not represented by counsel. Mr. Cole provided information regarding a medical emergency with Ms. Vincent’s child and she is not in attendance. Judge Williams granted a continuance for next board meeting date.
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<p><b><u>Stuart C. Wallace</u></b>  3433 Amanda Ave.  Nashville, TN 37215</p> <p>Represented by Rob  McKinney</p>	RN 96321 APRN 13277	Waters, State’s Attorney	<p>Mr. Wallace was present and was represented by counsel – Rob McKinney.</p> <p>Board Members were dismissed by Judge Williams as Mr. McKinney submitted an offer of proof – Rob McGuire testified. Following offer of proof, Board Members returned.</p> <p>Judge Williams read the technical record.</p> <p>Following testimony and proof, Ms. Akins moved to accept the findings of fact as listed in the proposed final order 1 through 5 as true and accurate. Mr. Earwood seconded; motion carried.</p> <p>Mr. Earwood moved to accept the conclusions of law contained in the state’s proposed order facts as found in paragraph 6. This finds that the respondent’s acts and conduct violated TCA 63-7-115 (a) (1) (B) (F). Ms. Akins seconded; motion carried.</p> <p>Mr. Earwood proposed discipline – probation for 18 months with TnPAP eval and follow TnPAP recommendations. Civil penalty of \$1,000.00 and costs not to exceed \$5,000.00. Ms. Akins seconded; motion carried.</p> <p>Mr. Earwood read the policy statement of the board to protect the health, safety and welfare of the citizens of Tennessee. The Board finds the appropriate action taken; motion carried.</p>
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Panel 2 – Juanita Turnipseed, Chair, Lisa Heaton, LeeAnn Stearnes

A quorum was present. Judge Waterhouse presided.

<p><b><u>Jill A. Kirby Wheeler</u></b>          132 Laurel Lane          Hendersonville, TN          37075</p>	<p>RN 143721</p>	<p>Winters,          State’s          Attorney</p>	<p>Ms. Kirby Wheeler was not present and not represented by counsel. Following proof of service Judge Waterhouse determined all reasonable attempts for proof of service and notice. Ms. Stearnes moved to proceed in default; Ms. Heaton seconded, motion carried. Judge Waterhouse reviewed the technical record.</p> <p>Following testimony and presentation of proof, Ms. Heaton moved to accept the findings of fact as listed in the proposed final order 1 through 3 true as written. Ms. Stearnes seconded and motion carried.</p> <p>Ms. Heaton moved to accept the conclusions of law contained in the state’s proposed order. This finds that respondent’s acts and conduct violated TCA 63-7-115 (a) (1) (B) (F) and rule 1000-01-.13 (1)(h) (w). Ms. Stearnes seconded; motion carried.</p> <p>Ms. Stearnes moved to revoke RN license, assess fifteen (15) Type A Civil Penalties in the amount of one thousand dollars (\$1,000) each for a total of fifteen thousand dollars (\$15,000.00) and assessment of cost not to exceed five thousand dollars (\$5,000). Ms. Heaton seconded and motion carried.</p> <p>Ms. Turnipseed read the policy statement of the board to protect the health, safety and welfare of the</p>
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			citizens of Tennessee. The Board finds the appropriate action taken; motion carried.
<b><u>Amber N. Stults</u></b> 895 Norris Rd. Clarkrange, TN 38553	RN 205227	Winters, State's Attorney	<p>Ms. Stults was not present and not represented by counsel. Following proof of service Judge Waterhouse determined sufficient proof of service. Ms. Heaton moved to proceed in default; Ms. Stearnes seconded, motion carried.</p> <p>Judge Waterhouse reviewed the technical record.</p> <p>Following testimony and presentation of proof, Ms. Stearnes moved to accept the findings of fact as listed in the proposed final order 1 through 4 true as written. Ms. Heaton seconded and motion carried.</p> <p>Ms. Stearnes moved to accept the conclusions of law contained in the state's proposed order. This finds that respondent's acts and conduct violated TCA 63-7-115 (a) (1) (C) (F). Ms. Heaton seconded; motion carried.</p> <p>Ms. Heaton moved to revoke RN license, assess two (2) Type A Civil Penalties in the amount of one thousand dollars (\$1,000.00) each for a total of two thousand dollars (\$2,000.00) and assessment of cost not to exceed five thousand dollars (\$5,000.00). Ms. Stearnes seconded and motion carried.</p> <p>Ms. Turnipseed read the policy statement of the board to protect the health, safety and welfare of the citizens of Tennessee. The Board finds the appropriate action taken; motion carried.</p>
<b><u>Judith Matlock</u></b> 2910 Cotswold Cove	RN 84916	Pinckley, State's	Ms. Matlock was not present and not represented by counsel. Following

<p>Memphis, TN 38128</p>		<p>Attorney</p>	<p>proof of service Judge Waterhouse determined sufficient proof of service. Ms. Heaton moved to proceed in default; Ms. Stearnes seconded, motion carried. Judge Waterhouse reviewed the technical record.</p> <p>Following testimony and presentation of proof, Ms. Stearnes moved to accept the findings of fact as listed in the proposed final order 1 through 4 true as written. Ms. Heaton seconded and motion carried.</p> <p>Ms. Heaton moved to accept the conclusions of law contained in the state's proposed order. This finds that respondent's acts and conduct violated TCA 63-7-115 (a) (1) (C) (F) and rule 1000-01-.13(1) (b) (c) (w) Ms. Stearnes seconded; motion carried. Ms. Stearnes moved to revoke RN license and assess five (5) Type A Civil Penalties in the amount of one thousand dollars (\$1,000) each for a total of five thousand dollars (\$5,000.00), ten (10) Type B Civil Penalties in the amount of five hundred dollars (\$500) each for a total of five thousand dollars (\$5,000) and assessment of cost not to exceed fifteen thousand dollars (\$15,000). Ms. Stearnes seconded and motion carried.</p> <p>Ms. Turnipseed read the policy statement of the board to protect the health, safety and welfare of the citizens of Tennessee. The Board finds the appropriate action taken; motion carried.</p>
<p><b><u>Sharon S. Jessee</u></b> 637 Mallard Baye Rutledge, TN 37861</p>	<p>RN 122285 APRN 19355</p>	<p>Waters, State's Attorney</p>	<p>Ms. Jessee was present and was represented by counsel – Frank Scanlon.</p>

<p>Represented by Frank Scanlon</p>			<p>Appeal hearing related to licensure denial from Board at the November 2016 meeting.</p> <p>Following testimony and proof, Ms. Stearnes moved to accept the findings of fact as listed in the proposed final order 1 through 9 as true and accurate. Ms. Heaton seconded; motion carried.</p> <p>Ms. Stearnes moved to accept the conclusions of law contained in the state's proposed order. This finds that respondent's acts and conduct violated TCA 63-7-115 (a) (1) (F) and rule 1000-01-.13(1) (j). Ms. Heaton seconded; motion carried.</p> <p>Ms. Stearnes moved to deny the APRN renewal application for Ms. Heaton seconded; motion carried.</p>
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Panel 3 – Martha Buckner, Chair; Mark Young, Donald Mills

A quorum was present. Judge Begley presided.

<p><b><u>Kimberly J. Shankles</u></b> 601 South Seminole Dr. Chattanooga, TN 37412</p>	<p>LPN 55983</p>	<p>Formont, State's Attorney</p>	<p>Ms. Shankles was not present and not represented by counsel. Ms. Formont requests to proceed in default. Judge Begley finds sufficient evidence to proceed in default. Mr. Young moves to proceed in default; Mr. Mills seconded; motion carried.</p> <p>Judge Begley reviewed the technical record.</p> <p>Following testimony and presentation of proof, Mr. Young moved to accept the findings of fact as listed in the proposed final order 1 through 5 true as written. Mr. Mills seconded and motion carried.</p> <p>Mr. Young moved to accept the conclusions of law contained in the</p>
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			<p>state's proposed order. This finds that respondent's acts and conduct violated TCA 63-7-115 (a) (1) and rule 1000-02-.13 (1) (g). Mr. Mills seconded; motion carried.</p> <p>Mr. Young moved for stayed suspension with TnPAP evaluation and monitoring agreement. Probation for 3 years. Assess (2) Type A Civil Penalties of \$500.00 each, totaling one thousand dollars (\$1,000) and assessment of cost not to exceed five thousand dollars (\$5,000). Mr. Mills seconded and motion carried.</p> <p>Dr. Buckner read the policy statement of the board to protect the health, safety and welfare of the citizens of Tennessee. The Board finds the appropriate action taken; motion carried.</p>
<p><b><u>Dawn M. Roland</u></b> 1651 West Whitehall Rd. Cookeville, TN 38501</p>	<p>LPN 62433</p>	<p>Holder, State's Attorney</p>	<p>Ms. Roland was not present and not represented by counsel. Judge Begley reviewed the technical record. Mr. Holder requests to proceed in default. Judge Williams finds sufficient evidence to proceed in default.</p> <p>Mr. Young moves to proceed in default; Mr. Mills seconded; motion carried.</p> <p>Following testimony and presentation of proof, Mr. Mills moved to accept the findings of fact as listed in the proposed final order 1 through 6 true as written. Mr. Mills seconded and motion carried.</p> <p>Mr. Mills moved to accept the conclusions of law contained in the state's proposed order. This finds that respondent's acts and conduct violated TCA 63-7-115 (a) (1) (F) and rule</p>

		<p>1000-02-.13 (1) (j). Mr. Young seconded; motion carried.</p> <p>Mr. Young moved to revoke the license, assess (1) Type A Civil Penalties in the amount of five hundred dollars (\$500) and assessment of cost not to exceed five thousand dollars (\$5,000). If Ms. Roland applies for reinstatement, she must present two years continuous documented sobriety. Mr. Mills seconded and motion carried.</p> <p>Dr. Buckner read the policy statement of the board to protect the health, safety and welfare of the citizens of Tennessee. The Board finds the appropriate action taken; motion carried.</p>
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Agreed/Consent Orders

Tracy Alcock

Heather Olivas	APRN 13054 RN License No. 151987	Mr. Young moved to accept the consent order of probation of both RN license and APRN certificate. Mr. Mills seconded and motion carried.
Rebecca Norfleet	APRN 15797 RN 82163	Mr. Young moved to accept the consent order of reprimand of RN license and APRN certificate with Affiliated Monitoring. Mr. Mills seconded and motion carried.

Mark Cole

Linda Alford	Mississippi RN 868416	Mr. Young moved to accept the agreed order of voluntary surrender of PTP and costs. Seconded by Mr. Mills; motion carried.
Billy Brockman	LPN License No. 58507	Mr. Young moved to accept the agreed order of voluntary surrender.

		Mr. Mills seconded; motion carried.
Melissa K. Butts	LPN License No. 51006	Mr. Young moved to accept the agreed order of standard TnPAP. Seconded by Mr. Mills; motion carried.
Steven Dzyban	APRN License No. 10101, RN License No. 111946	Mr. Young moved to accept the agreed order of standard TnPAP. Seconded by Mr. Mills; motion carried.
Jennifer Edwards	RN License No. 198401	Mr. Young moved to accept the agreed order standard TnPAP and costs. Seconded by Mr. Mills; motion carried.
Leah Smith	RN License No. 176083	Mr. Young moved to accept the agreed order standard TnPAP and costs. Seconded by Ms. Mills; motion carried.

Jamie Formont

Gretchen D. Castleberry	RN License No. 158293	Ms. Stearnes moved to accept the consent order of probation with continuing education. Seconded by Ms. Heaton; motion carried. Ms. Turnipseed moved to reopen the order. Seconded by Ms. Heaton. After discussion, Ms. Stearnes moved to reject the consent order as presented. Seconded by Ms. Heaton.
Joshua M. Cluxton	RN License No. 72579	Ms. Stearnes moved to accept the consent order of probation with continuing education. Seconded by Ms. Heaton; motion carried.
Laura Crenshaw	LPN License No. 38071	Ms. Stearnes moved to accept the consent order reprimand with continuing education. Seconded by Ms. Heaton; motion carried.
Marcos D. Demoura	RN License No. 140841 APRN Cert. No. 13901	Ms. Stearnes moved to accept the consent order of standard TnPAP. Seconded by Ms. Heaton; motion carried.
Gloria Ellis Johnson	RN License No. 121528	Ms. Stearnes moved to reject the consent order of probation with

		continuing education. Seconded by Ms. Heaton; motion carried.
Kendra Danielle Meeks	LPN License No. 83129	Ms. Heaton moved to accept the consent order of standard TnPAP. Seconded by Ms. Stearnes; motion carried.
Cheri Partain	RN License No. 201104	Ms. Stearnes moved to accept the consent order of probation with continuing education. Seconded by Ms. Heaton; motion carried.

Todd Pinckley

Latoya Banks-Lewis	LPN License No. 76482	Mr. Young moved to accept consent order reprimand with continuing education. Mr. Mills seconded; motion carried.
Laura Lee Barnes	RN License No. 121639	Mr. Mills moved to accept the agreed order standard TnPAP. Seconded by Mr. Young; motion carried.
Beth N. Cagle	RN License No. 145177	Mr. Young moved to accept consent order of voluntary surrender. Mr. Mills seconded; motion carried.
Bobbie Jewel Dill	RN License No. 149577	Mr Young moved to accept the agreed order standard TnPAP. Seconded by Mr. Mills; motion carried.
Heidi B. Duke	LPN License No. 72921	Ms. Duke was represented by Mr. Cross. Mr. Young moved to accept agreed order of voluntary surrender. Mr. Mills seconded; motion carried.
Sarah Belle Morton	RN Lic. No. 181735	Mr. Young moved to accept the agreed order standard TnPAP. Seconded by Mr. Mills; motion carried.
Louise L. Reesman	RN License No. 162040	Mr. Young moved to accept consent order of voluntary surrender. Mr. Mills seconded; motion carried.

Wesley Holder

Jamie L. Lowe	LPN License No. 76893	Mr. Young moved to accept the consent order standard TnPAP and costs. Seconded by Mr. Mills; motion carried.
Peggy Smallwood	RN License No. 96321	Mr. Young moved to accept the agreed order of voluntary surrender. Mr. Mills seconded; motion carried.

Caroline Tippens

Ethel Bell Wallace	LPN 28872	Ms. Young moved to accept the consent order of revoked license. Seconded by Mr. Mills; motion carried.
Oliver Glaser	RN 200598	Mr. Young moved to accept the agreed order of voluntary surrender. Seconded by Mr. Mills motion carried.

Matt Gibbs

Ashley L. Edwards	RN License No. 177618	Mr. Young moved to accept the consent order standard TnPAP and costs. Seconded by Mr. Mills; motion carried.
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Eric Winters

Beverly M. Hoyt	RN 196782	Ms. Turnipseed moved to accept the agreed order of voluntary surrender. Seconded by Ms. Heaton; motion carried.
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Consent Agenda:

- School Announcements
- School Survey Visit(s)
- Executive Director's report
- Strategic Plan Current Activities
- OGC report

- TnPAP report
- Investigations/Disciplinary Coordinator's report
- Report from Meetings
- Health Related Boards Report

Dr. Buckner moved and seconded by Mr. Young to adopt the consent order agenda items and reports. Motion carried.

Discuss/Approve Travel –

- NCSBN Discipline Case Management Conference—June 12-14, 2017, Pittsburgh, PA—7 attendees including investigators, board members, OGC
- National Drug Abuse and Heroin Summit—April 17-20, 2017, Atlanta, GA—4 attendees
- 2017 NCLEX Conference—September 25, 2017, Rosemont, IL—2 attendees
- Other

Ms. Akins moved to approve the travel to each as noted above. Mr. Mills seconded; motion carried.

Executive Director's Annual Report Presentation and Strategic Planning—Ms. Lund provided the 2016 annual report and 2017-2022 Strategic Plan draft via Power Point. Motion to adopt strategic plan as presented by Dr. Buckner; seconded by Mr. Young; motion carried.

Recess – 3:04 p.m.

Reconvene – 8:38 a.m. Thursday, February 23, 2017

Call to Order—Ms. Powell called role.

Present: Brent Earwood, APRN; Juanita Turnipseed, APRN; Lisa Heaton, RN; Lee Ann Stearnes, APRN; Leslie Akins, APRN; Martha Buckner, RN; Mark Young, APRN

Absent: Arthur Thompson, LPN; Janell Cecil, RN; Marietha Silvers, RN; Lee Mills, public member

A quorum was present.

Welcome and Introduction of Guests:

Mr. Earwood welcomed the Board members and guests in the audience and called for self-introductions: students from Belmont University, and Sharon Adkins, Executive Director for TNA.

Staff introduced by Ms. Lund.

Review Annual Reports and Motion to Accept. Ms. Sherfy presented data from annual reports. Four schools were recognized for achieving 100% NCLEX pass rate for 2016: Nashville State Community College, Associate Degree Nursing Program; UT-Martin Baccalaureate Degree Nursing Program; UT Health Science Center, Baccalaureate Degree Program for 2 consecutive years and Bethel University, Baccalaureate Degree Nursing Program for 3 out of the past 4 years. Motion to accept school approvals as written by Dr. Buckner, Ms. Akins seconded; motion carried.

School Hearings—Ms. Sherfy, PHNC2 and Ms. Richardson, PHNC2

- **George Washington University**– Washington, D.C. Request for approval of letter of intent and initial approval for online programs including MSN program with concentration in adult-geriatric primary care nurse practitioner track, and family nurse practitioner track, and post-master’s DNP program with concentration in health care quality track and nursing practice track. Presenting information: Dr. Pamela Jeffries, Dean. Following Dr. Jeffries’ presentation, Mr. Mark Young made a motion for approval of letter of intent and initial approval for George Washington University’s online MSN and DNP programs. Dr. Buckner seconded, motion carried.
- **Chattanooga State Community College PN Program**– Chattanooga, TN Reviewed report and considered suspension of enrollment based on NCLEX pass rates of first time writers.
  - 2016 NCLEX-PN® pass rate 77% (104 first time writers with 81 passing).
  - 2015 NCLEX-PN® pass rate 83% (104 first time writers with 86 passing). The Program was placed on conditional approval.
  - 2014 NCLEX-PN® pass rate 78% (80 first time writers with 62 passing). Letter of concern issued with follow-up progress report requested.Following the presentation of Ms. Kathy Cochran, Director, and review of documentation provided, Ms. Turnipseed moved to suspend enrollment; the school shall not admit a subsequent class based on Administrative Rule 1000-02-.05 (4) with NCLEX pass rate of less than 85% for three consecutive years. Dr. Buckner seconded and motion carried. The Board recommended an outside consultant to review the entire program and additional resources in terms of program budget. The Board agreed with the program’s plan to decrease the class size.
- **South Central Regional PN Program**– Pulaski, TN-- Reviewed report and considered placing conditional approval based on NCLEX pass rates of first time writers.
  - 2016 NCLEX-PN® pass rate 83% (41 first time writers with 34 passing).

- 2015 NCLEX-PN® pass rate 73% (15 first time writers with 11 passing). Letter of concern issued with follow-up progress report requested.

Following presentation of Ms. Vicki Barnette, Director, and review of documentation provided, Ms. Turnipseed moved to place the program on conditional approval for up to one year based on Administrative Rule 1000-02-.05 (4) with NCLEX pass rate of less than 85% for two consecutive years. Ms. Heaton seconded; motion carried.
- **Southern Adventist University**– Collegedale, TN--Reviewed report of associate degree program and considered suspension of enrollment based on NCLEX pass rates of first time writers.
  - 2016 NCLEX-RN® pass rate 82% (175 first time writers with 144 passing).
  - 2015 NCLEX-RN® pass rate 83% (123 first time writers with 102 passing). Placed on conditional approval
  - 2014 NCLEX-RN® pass rate 76% (119 first time writers with 91 passing). Letter of concern issued with follow-up progress report requested.

Following the presentation of Dr. Barbara James, Dean, and review of documentation provided, Ms. Turnipseed moved to suspend enrollment; the school shall not admit a subsequent class based on Administrative Rule 1000-01-.05 (4) (c) and (5) with NCLEX pass rate of less than 85% for three consecutive years. Mr. Earwood seconded, no votes from Dr. Buckner and Ms. Akins, Mr. Young abstained; motioned carried.
- **King University**– Bristol, TN--Reviewed report of BSN program and considered suspension of enrollment based on NCLEX pass rates of first time writers.
  - 2016 NCLEX-RN® pass rate 73% (49 first time writers with 36 passing).
  - 2015 NCLEX-RN® pass rate 70% (53 first time writers with 39 passing). Placed on conditional approval
  - 2014 NCLEX-RN® pass rate 83% (52 first time writers with 43 passing). Letter of concern issued with follow-up progress report requested.

Following the presentation of Dr. Rhonda Morgan, Interim Dean, and review of documentation provided, Ms. Akins moved to suspend enrollment of the BSN pre-licensure program; the school shall not admit a subsequent class based on Administrative Rule 1000-01-.05 (4) (c) and (5) with NCLEX pass rate of less than 85% for three consecutive years. Mr. Earwood seconded and motion carried.
- **Martin Methodist College**– Pulaski, TN--Reviewed report of BSN program and considered placing the program on conditional approval based on NCLEX pass rates of first time writers.
  - 2016 NCLEX-RN® pass rate 54% (48 first time writers with 26 passing).
  - 2015 NCLEX-RN® pass rate 68% (53 first time writers with 36 passing). Letter of concern issued with follow-up progress report requested.

Following the presentation of Dr. Karen Ferguson, Dean, and review of documentation provided, Ms. Turnipseed moved to place the program on conditional

approval based on Administrative Rule 1000-01-.05 (4) (c) and (5) with NCLEX pass rate of less than 85% for two consecutive years. Ms. Stearnes seconded and motion carried.

- **Tennessee State University**– Nashville, TN--Reviewed report of BSN program and considered suspension of enrollment based on NCLEX pass rates of first time writers.
  - 2016 NCLEX-RN® pass rate 73%. Mid 2016 suspension lifted, placed on full approval based on YTD NCLEX scores.
  - 2015 NCLEX-RN® pass rate 64% Enrollment suspended.
  - 2014 NCLEX-PN® pass rate 75%.
  - 2013 NCLEX-PN® pass rate 71%. Placed on conditional approval
  - 2012 NCLEX-PN® pass rate 64%. Letter of concern issued with follow-up progress report requested.

Following the presentation of Dr. Windia Wilbert, Dean, and review of documentation provided, Ms. Akins moved to suspend enrollment; the school shall not admit a subsequent class based on Administrative Rule 1000-01-.05 (4) (c) and (5) with NCLEX pass rate of less than 85% for three consecutive years. Ms. Stearnes seconded and motion carried.

- **Trevecca Nazarene University**– Nashville, TN--Reviewed report of BSN program and considered continuing conditional approval based on NCLEX pass rates of first time writers.
  - 2016 NCLEX-RN® pass rate 82% (17 first time writers with 14 passing).
  - 2015 NCLEX-RN® pass rate 60% (5 first time writers with 3 passing). Placed on conditional approval
  - 2014 NCLEX-RN® pass rate 78% (9 first time writers with 7 passing). Letter of concern issued with follow-up progress report requested.

Following the presentation of Dr. Kathy Jordan, Director, and review of documentation provided, Mr. Earwood moved to accept the request from the school to voluntarily close enrollment. The Board will continue conditional approval with the understanding that this program will be closing without admitting further classes. This decision is based on Administrative Rule 1000-01-.05 (4) (c) and (5) with NCLEX pass rate of less than 85% for three consecutive years. Ms. Stearnes seconded and motion carried.

During the school hearings the Board held a discussion to define “subsequent class” for position statements. Dr. Buckner moved to change the position statement of Continued Approval of Schools of Nursing. The asterisk statement under the table, move to strike the current definition of a subsequent class and change to say: “No new offers of admissions may be extended - effective immediately. No admissions may be honored beyond the current calendar year.” Ms. Stearnes seconded, motion carried.

Consider Vote to Approve Application Review Committee Recommendations – Ms. Turnipseed, APN, Vice Chair and Mr. Mark Water, Deputy General Counsel

2/23/2017	Summary	ARC Recommendation	Board Decision
<p><b>Lakia Demery</b> 1573 Mary Beth Lane Clarksville, TN 37042 LPN Endorsement</p> <p>Louisiana LPN 5/24/2001 to 3/6/2009 – revoked</p> <p>Mississippi 4/10/2013 – application denied</p>	<p>4/1/2013 -Denied application in Mississippi on 4/10/2013 due to crime, license revocation in LA and failure to disclose discipline on application in LA.</p> <p>3/6/3009 -Revoked LPN licensure in Louisiana on 3/6/2009 due guilty of possession with intent to distribute cocaine and unprofessional conduct. Ms. Demery has not shown evidence of paying fine to Louisiana Board (\$500.00) or being eligible for reinstatement in LA.</p> <p>2006 - Crime (2006 felony pled guilty to possession with intent to distribute cocaine, 94 worthless check-charge of poss of stolen property, bank fraud 3 cts and unauthorized use of access card)</p>	<p><b>Deny the LPN application by endorsement due to crime and discipline in Louisiana and Mississippi.</b> This recommendation is pursuant to Tennessee Code Annotated 63-7-115(a)(1)(B)(F) and Rule 1000-02-.13(1)(j).</p>	<p>Mr. Young moved to accept the recommendation of ARC as stated. Dr. Buckner seconded; motion carried.</p>
<p>Prianglam Brooks 125 Idlewild St</p>	<p><b>Discipline 10/31/2016 - Texas</b> revoked APRN,</p>	<p><b>Deny the RN reinstatement application due to unprofessional</b></p>	<p>Dr. Buckner moved to accept the recommendation of</p>

<p>Jackson, TN 38301 RN 137418</p> <p>RN Reinstatement TN RN 7/18/2002 to 11/30/2009 TN APRN 2/5/2007 to 11/30/2017 AR RN 3/12/2008 to 10/11/2011 – significant investigative mark up on Nursys AR certified NP 3/12/2008 to 6/10/2015 – significant investigative mark up on Nursys TX RN 5/24/2010 to 2/17/2015 revoked TX certified NP 5/25/2010 to 10/28/2016 revoked</p>	<p>prescription authorization number and RN license due to inappropriate prescribing</p> <p><b>5/5/2015</b> – AR under investigation</p> <p>Renewed APRN via the web 10/13/2015 6:22:59 failing to report the summary suspension in TX 2/17/2015.</p>	<p><b>conduct in Texas board order.</b> This recommendation is pursuant to Tennessee Code Annotated 63-7- 115(a)(1)(F) and Rule 1000- 01-.13(1)(j).</p>	<p>ARC as stated. Ms. Stearnes seconded; motion carried.</p>
<p><b>Board Orders presented by Mark Waters:</b></p>			
<p><b>Angela Mosley</b> 6315 Raible Dr Millington, TN 38053 LPN 58740</p> <p>TN            LPN</p>	<p>LPN Reinstatement</p>	<p><b>License per conditions/stipulations of board order.</b></p>	<p>Dr. Buckner moved to accept the board order of conditional license. Mr. Young seconded; motion carried.</p>

5/25/2000 to 10/31/2015			
<b>Maria Conlin</b> 2164 Spring Hill Circle Spring Hill, TN 37174  OR 4/18/2008 to 1/18/2009 VA 1/9/2015 to 6/30/2015	RN Endorsement	<b>License per conditions/stipulations of board order.</b>	Ms. Stearnes moved to accept the board order of conditional license. Ms. Akins seconded; motion carried.
<b>Brittany Cannon</b> 3682 Valley View Rd Sevierville, TN 37862  FL LPN 2/2/2011 to 7/31/2017	LPN Endorsement	<b>License per conditions/stipulations of board order.</b>	Mr. Young moved to accept the board order of conditional license. Dr. Buckner seconded; motion carried.
<b>Daniel DelToro</b> 213 Geronimo Rd Knoxville, TN 37934  RN 181711 TN license 6/16/2011 to 12/31/2017 – suspended Louisiana 3/20/2012 to 2/1/2014	RN Reinstatement	<b>License per conditions/stipulations of board order.</b>	<b>Dr. Buckner moved to accept the board order of conditional license. Ms. Heaton seconded; motion carried.</b>

Deans and Directors Task Force Regarding NCLEX Results Presentation—Dr. Cindy Waller and Dr. Wendy Nehring. Discussion regarding NCLEX requirements for schools in different states and statistical data. Formal recommendations from the Deans and Directors group will be made after receiving input from CNOs.

Election of Officers—Ms. Stearnes volunteered as chair for Mr. Arthur Thompson, committee chair. Brent Earwood and Juanita Turnipseed, respectively, were nominated at the previous meeting. No new nominations were slated. Dr. Buckner moved to elect Mr. Earwood as Chair and Ms. Turnipseed as Vice-Chair. Ms. Akins seconded. Motion carried.

Appoint representative(s) to TnPAP Oversight Committee—Mr. Brent Earwood – Mr. Young is a current member, Ms. Akins appointed.

Update: Dr. Mitchell Mutter, Director of Special Projects-- Dr. Mutter’s presentation updated the Board with information with the latest revision of the Chronic Pain Guidelines and the Pain Clinic Guidelines published January 2017 and are now available on the web. Legislative report will be covered at the next meeting

Discuss Rulemaking Timeline – Medication Aide Rulemaking hearing is set for May 18, 2017.

Discuss Proposed Legislation – Sharon Adkins, Executive Director, TNA discussed legislation currently being proposed.

Sunset Audit Update—Ms. Lund reported that the Office of the Comptroller of the Treasury, Division of State Audit, is conducting a performance audit of the Tennessee Board of Nursing. The planning work for the audit has been completed and the objectives for the detailed audit work will be shared with the board in March 2017. The audit team will attend the May meeting to discuss the timeline of the audit and respond to questions.

Summary Suspension Hearing

Roll Call and Quorum

Present: Lee Ann Stearnes, RN, APRN; Brent Earwood, RN, APRN; Martha Buckner, RN

Ms. Lund declared a quorum present and turned the meeting over to Caroline Tippens, Assistant General Counsel.

Introduction

Ms. Tippens opened the meeting stating the necessity for the emergency meeting of the panel of the board for the summary suspension of Mr. Nicky Hayes, LPN # 68889 and Christy Murphy, LPN # 61856. No panel member declared any prior knowledge of these matters.

Nicky Hayes	L.P.N. License No. 68889	Tippens, State’s	Ms. Stearnes moved to accept the findings of fact in paragraphs 1-11
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		Attorney	<p>in the state's proposed order. Dr. Buckner seconded; motion carried.</p> <p>Dr. Buckner moved to accept the conclusions of law in the proposed order, paragraphs 12-14; Ms. Stearnes seconded; motion carried. Ms. Stearnes moved to summarily suspend the license. Dr. Buckner seconded; motion carried.</p> <p>Mr. Earwood read the policy statement of the board to protect the health, safety and welfare of the citizens of Tennessee. The Board finds the appropriate action taken; motion carried.</p>
Christy Murphy	L.P.N. License No. 61856	Tippens, State's Attorney	<p>Ms. Stearnes moved to accept the findings of fact in paragraphs 1-14 in the state's proposed order. Mr. Earwood seconded; motion carried.</p> <p>Mr. Earwood moved to accept the conclusions of law in the proposed order, paragraphs 15-19; Ms. Stearnes seconded; motion carried.</p> <p>Dr. Buckner moved to summarily suspend the license. Mr. Earwood seconded; motion carried.</p> <p>Mr. Earwood read the policy statement of the board to protect the health, safety and welfare of the citizens of Tennessee. The Board finds the appropriate action taken; motion carried.</p>

Adjourn

There being no other business, the meeting of the Tennessee Board of Nursing adjourned at 5:24p.m., with the next board meeting scheduled May 17-18, 2017.